

Act No. 264
Public Acts of 1992
Approved by the Governor
December 12, 1992
Filed with the Secretary of State
December 14 1992

**STATE OF MICHIGAN
86TH LEGISLATURE
REGULAR SESSION OF 1992**

Introduced by Reps. Middaugh, Keith, Trim, Sikkema, O'Neill and Gilmer

ENROLLED HOUSE BILL No. 5380

AN ACT to amend section 558 of Act No. 116 of the Public Acts of 1954, entitled "An act to reorganize, consolidate and add to the election laws; to provide for election officials and prescribe their powers and duties; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to prescribe the penalties therefor; and to repeal certain acts and all other acts inconsistent herewith," as amended by Act No. 394 of the Public Acts of 1984, being section 168.558 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 558 of Act No. 116 of the Public Acts of 1954, as amended by Act No. 394 of the Public Acts of 1984, being section 168.558 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 558. (1) A candidate filing nominating petitions or a filing fee for a county, state, national, city, township, village, or school district office in any election, at the time of filing the nominating petitions or filing fee, shall file with the officer with whom the petitions or fee is filed 2 copies of an affidavit. The affidavit shall contain the candidate's name; address; ward and precinct where registered, if qualified to vote at that election; number of years of residence in the state and county; and other information that may be required to satisfy the officer as to the identity of the candidate. If a candidate files the affidavit with an officer other than the county clerk or secretary of state, the officer shall immediately forward to the county clerk 1 copy of the affidavit by first class mail. The county clerk shall immediately forward 1 copy of the affidavit for state and national candidates to the secretary of state by first class mail. An officer shall not certify to the board of election commissioners the name of any candidate who fails to comply with this section.

(2) If petitions or filing fees are filed by or in behalf of a candidate for more than 1 office, either national, state, county, city, village, township, or school district, the terms of which run concurrently or overlap, the candidate so filing, or in behalf of whom petitions or fees were so filed, shall select the 1 office to which his or her candidacy is restricted within 3 days after the last day for the filing of petitions or filing fees unless the petitions or filing fees are filed for 2 offices that are combined or for offices that are not incompatible. Failure to make the selection disqualifies a candidate with respect to any office for which petitions or fees were so filed and the name of the candidate shall not be printed upon the ballot for those offices. A vote cast for that candidate at the primary or general election ensuing shall not be counted and shall be void.

Section 2. This amendatory act shall take effect January 1, 1993.

Section 3. This amendatory act shall not take effect unless House Bill No. 5379 of the 86th Legislature is enacted into law.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved.....

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Governor.